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PART II.

NOTIFICATIONS BY GOVT. OF INDIA, RESIDENT, CHIEF COURT, &c.

No. 1352—*Mis.* 183, *dated* 23*rd July* 1895.

The undermentioned communication containing information regarding the impending changes which will, it is expected, be in force in time to regulate the pilgrimage to the Hajj of the year 1896, is published for general information :—

By order,
V. N. NARASIMMIYENGAR, *General Secretary.*

No. 6 Sanitary / 172—179.

Extract from the Proceedings of the Government of India in the Home Department (Sanitary), dated Simla, the 28th June 1895.

RESOLUTION.

In the beginning of 1894 an International Sanitary Conference was convened at Paris to consider especially the best means of preventing the spread of cholera westwards by way of the Red Sea and Persian Gulf. The British Government accepted an invitation to join in its deliberations and a Convention drawn up by the Conference in April 1894 was accepted by Her Majesty's Government, with reservations upon three points (to be mentioned below). The agreement is binding for five years, and is to be renewed unless notice of withdrawal is given six months before the end of that period.

As the provisions of the Convention were intended directly to affect the pilgrim traffic by sea between British India and Arabia, it became necessary to consider what amendments should be made in the law by which that traffic is at present controlled. The Government of India have been in communication with Her Majesty's Secretary of State and the Local Maritime Governments as to the best way of giving effect to these provisions, some of which introduce considerable changes into the existing arrangements. It has eventually been decided that the course which may most conveniently be adopted in all the circumstances of the case, is to remove from the operation of the Native Passenger Ships Act, 1887, vessels engaged in the pilgrim traffic and to provide for them separately. A Bill drawn with that object is about to be introduced in the Council of the Governor General for making Laws and Regulations, and rules aimed at carrying out all needed changes in the regulations are now being prepared and are intended to be brought into force under and simultaneously with the new law. Meanwhile the Governor General in Council is desirous of taking this opportunity of placing before the public as early as possible full information regarding the impending changes, which are in some respects of considerable importance, and which will it is expected be in force in time to regulate the pilgrimage to the Hajj of the year 1896.

2. The following are the matters in which changes have to be made by legislation :—

(i) *The definition of a "pilgrim ship."*

By section 5 (2) of the Native Passenger Ships Act, 1887, a passenger on a ship to which that Act applies is defined to be "a native of Asia or Africa of the age of twelve years or upwards, who is not on the articles of the ship as one of the crew," but the term does not include either a passenger in attendance on a person other than a native of Asia or Africa, or a child under one year of age, and in the computation of passengers for any of the purposes of the Act, two persons of the age of one year or upwards and under the age of 12 are reckoned as one passenger. The Act does not apply to any steam-ship not carrying as passengers more than 60 natives of Asia or Africa (or any less number down to 30 which may be fixed by the Local Government, with the previous sanction of the Governor General in Council, as the minimum). In accordance with the terms of the Convention every individual, of whatever age, will be reckoned as a pilgrim in the proposed Bill, the provisions of which will be made applicable to all vessels carrying pilgrims, subject to the proviso that no vessel is to be reckoned as a pilgrim ship which, besides its ordinary passengers, among whom may be included pilgrims of the superior classes, embarks pilgrims of the lowest class in a smaller proportion than one pilgrim to 100 gross tonnage.

The object of the Conference, in extending the scope of the regulations to vessels to which they do not now apply, was to prevent pilgrims from being carried in ill-found craft, the sanitary arrangements on which might be insufficient or incomplete.

(ii) *Notice of sailing.*

By section 7 (*ii*) of the Native Passenger Ships Act, 1887, the master, owner, or agent of a ship is required to give not less than 24 hours' notice of his intention to sail. The Conference determined that in the case of a pilgrim ship the interval should be extended to three days, and the Bill will contain a provision modified accordingly.

(iii) *The upper deck.*

The Convention provides that the deck must, during the voyage, remain clear of all encumbering articles and be reserved day and night for the persons embarked, and placed gratuitously at their disposal.

A provision to this effect will be embodied in the Bill.

(iv) *Hospital accommodation.*

The Conference determined that there should be hospital accommodation for 5 per cent. of the pilgrims at 3 square metres (32 square feet) per head. This is considerably in excess of the present allowance. The necessary provision will be included in the Bill.

(v) *Medical inspection previous to embarkation.*

The Conference attached considerable importance to this matter. In addressing the Local Maritime Governments on the subject in October last, the Government of India expressed their opinion that the practice of allowing pilgrims to go on board before inspection is open to serious objection, as it opens the way to the introduction on board a pilgrim vessel of infectious or contagious diseases by persons suffering from them. The Local Governments agree in this view, though there are some practical difficulties which will have to be met. Provision will accordingly be made in the Bill in order to give effect to the decisions of the Conference that the medical examination should take place on land immediately before embarkation and that articles contaminated by persons who have suffered from cholera or choleraic diarrhœa should not be taken on board until disinfected, nor persons suffering from those diseases permitted to embark.

(vi) *Sanitary taxes at Camaran and Jeddah.*

It is provided in the Convention that the Master of a pilgrim vessel must pay the whole amount of the sanitary taxes at the ports visited and it is suggested that the amount of them might be included in the price of the ticket. The Bill will contain a provision requiring the Master to pay these fees. This decision was adopted by the Conference because of complaints made by the Turkish authorities that Indian pilgrims often fail to pay any fees at all, and the members of the Conference felt that, unless help is given to the local authorities in realizing the proper fees, it will be less easy to press for the carrying out of local sanitary reforms the cost of which is, or should be, partly defrayable from the fees collected from pilgrims.

It is necessary here to explain that the immediate adoption of this provision presents difficulties, owing to the fact that the Turkish Government did not agree to the conditions on which the retention of Camaran as a quarantine station was assented to by the British delegates at the conference. Those conditions were that vessels should be subjected to differential treatment according as they were declared, after medical inspection, to be* *indemnes*, *suspects*, or *infectés*. If of the first class, pilgrim ships were to be detained for 48 hours only at Camaran ; if *suspects* they were to be detained 48 hours and to undergo a second medical inspection at Jeddah ; and if *infectés* they were to be detained at Camaran for five days from arrival, or from the occurrence of the last case, and to undergo a second medical inspection at Jeddah. The past practice has been for all pilgrims on vessels coming from Indian ports to be detained for ten days on shore at Camaran ; if

* *Indemnes*.—are vessels on which no case of cholera has occurred either at the port of departure or on the voyage.

Suspects—are vessels on which there has been cholera but no fresh case within seven days before arrival at Camaran.

Infectès—are vessels on which fresh cases of cholera have occurred within seven days of arrival at Camaran.

cholera or choleraic diarrhœa exists on board or breaks out during quarantine, they are detained for longer periods. It is impossible for the Government of India to declare finally what sum will have to be added on account of sanitary dues to the cost of a ticket for the voyage to Jeddah ; but according to the figures supplied by the Turkish Consul-General at Bombay, about Rs. 12-8 may be taken to be the present minimum cost per pilgrim in respect of the sanitary taxes for a stay of ten days at Camaran, besides a charge of nearly Rs. 2 at Jeddah.

As the Turkish delegates at the Paris Conference announced that they would agree to the abolition of the requirement that every ship from India should be detained for ten days if the periods of detention proposed, as mentioned above, were raised to three days for *indemnes*, five days for *suspects*, and ten days for *infectes*, the Government of India have requested Her Majesty's Government to address the Porte with the suggestion that the rules which the Turkish delegates were prepared to accept may be adopted for the future. If this is effected there will be a very considerable reduction in the amount of the sanitary taxes to be paid for with the price of the steamer ticket.

The Government of India, recognizing that a rigid rule requiring the pre-payment of sanitary dues by every pilgrim may operate with hardship in the case of poor pilgrims, who it appears from the reports of the Turkish authorities are at present excused the sanitary fees when they are unable to pay them, have decided to suggest for the consideration of the Porte that really needy pilgrims might be excused from payment of the sanitary taxes in addition to the steamer fare if they are granted passes signed by a District Officer or Political Officer on the advice of respectable Muhammadan residents of the neighbourhood in which they live, and countersigned by a Turkish Consul in India certifying that their pecuniary position justifies their exemption. It appears to the Governor General in Council that such a measure would afford effectual relief in the case of poor Muhammadans resident in India, and His Excellency in Council trusts that it may be found possible to carry it into effect.

(vii) *A second medical officer on board.*

The Convention requires every vessel embarking 100 pilgrims or more to have on board a duly qualified medical officer, and a second such officer when the number of pilgrims exceeds 1,000. The first provision is in accordance with the present law ; but though under the provision for the increase of space for each pilgrim (see paragraph 3 (*a*) below) it is unlikely that many steamers will carry more than 1,000 pilgrims, it is necessary to give effect to the Convention in this respect. This requirement will be entered in the Bill. The qualifications which these medical officers must possess will be set forth in the rules.

(viii) *Abandonment of the call at Aden on the journey from the Red Sea to India.*

The Government of India, with the acquiescence of the Government of Bombay, have decided that the present compulsory call at Aden on the return journey to India is unnecessary and inconvenient in many cases. The Bill which is about to be introduced will contain the requisite provision which is not necessary to carry out the terms of the Convention, but it is in no way opposed thereto. The present requirement that every pilgrim ship from India must call at Aden, and shall not leave that port for the Red Sea without a clean bill of healt, will be retained.

3. The chief points in the existing rules under the Native Passenger Ships Act, in respect of which changes have been rendered necessary by the terms of the Convention, are the following :—

(*a*) *Increase in the space for each pilgrim.*

3. This is the most important point in the Convention, as it will involve a considerable increase in the cost of the journey by steamer. As the law stands (section 21 of Act X of 1887), the allowance in the between decks for a steamer passenger on a long voyage (of 5 days or over) is a space of at least 9 superficial and 54 cubic feet ; two children under 12 years of age, and not under one, counting as one pilgrim, and children under the age of one year not counting. By section 56 of the Act, the Governor General in Council has power to prescribe in the case of any class of ships other provisions as regards superficial or cubic space to be available for passengers.

The Convention provides for two square metres (21½ square feet) for each pilgrim of whatever age. This is one of the points upon which the British Government made reservation. Her Majesty's Government has, however, intimated to the French Government that a minimum standard of 1½ square metres (16 square feet) for every pilgrim of whatever age will be prescribed on all Indian pilgrim ships, and the Bill will be drawn in such a manner as to enable the Governor General in Council to give effect thereto. This decision was arrived at as some increase of space was dictated by the best sanitary authorities and by the voice of all the European Powers, including the Porte, who are interested in the matter, though it is recognized that the additional space will cause increase in the cost of steamer tickets to the pilgrims.

(*b*) *Water.*

In accordance with the Convention the allowance of a gallon of drinking-water a day will be made for every pilgrim of whatever age, instead of to each pilgrim of 12 years of age and over (children not over 12 years, but not under one, counting as one pilgrim and children under one year of age not counting at all) as under the present rule.

(*c*) *Disinfecting stove.*

The new rules will provide for a disinfecting stove on board ship to purify the clothes and effects of pilgrims who have suffered from cholera or choleraic diarrhœa. Provisions will also be made regarding the method of disinfecting.

(*d*) *Latrines.*

The Government of India will take this opportunity to raise the number of seats from the rate of two to that of four for every hundred pilgrims in accordance with the recommendation of the Committee which enquired into the working of the Native Passenger Ships Act in 1890. Provision will also be made for a staff of sweepers at the rate of two for every hundred pilgrims. Further provisions will be added for the better cleansing and disinfecting of the latrines.

(*e*) *Pilgrims' luggage.*

The Convention provides that pilgrims' heavy luggage must be registered, numbered and deposited in the hold, and that pilgrims are to be allowed to keep with them only such articles as are absolutely necessary (not to exceed a maund in weight for each pilgrim). A rule will be framed to carry this provision into effect.

(*f*) *Daily medical inspection on board.*

One of the terms of the Convention requires that when there are cases of cholera in port, pilgrims shall not be embarked until after they have been collected and subjected for five days to an observation which will admit of an assurance that none of them are affected with cholera. It was, however, agreed on the representation of the British delegates, that this observation could be practised on board ship between the time of departure from India and the call at Aden. A rule will be framed to provide for this.

(*g*) *Second medical inspection before departure from India.*

A reference was made to the Local Governments on a suggestion put forward by Her Majesty's Secretary of State as to the desirability of adding a second medical inspection of pilgrims on board just before a steamer weighs anchor. The Governor General in Council proposes to make a rule to the effect that in cases where a pilgrim ship may be detained in harbour for more than 48 hours after the embarkation of the pilgrims, and there is reason to suspect that small-pox, cholera, yellow fever or plague may have attacked some of the pilgrims, a second medical inspection shall be made by a competent medical officer.

4. The reservations made by Her Majesty's Government from the terms of the Convention were, as noticed above, upon three points. One of these as regards space has already been mentioned in paragraph 3 (*a*) *supra*. The second reservation was regarding arrangements in the Persian Gulf, and does not call for notice here. The third was as to a provision of the Convention requiring that all pilgrims must have ample funds in their possession before they are allowed to embark. The British Government, acting on the previously declared views of the Government of Idia who have always desired to facilitate the pilgrimage to the Hedjaz as much as possible, felt that this restriction upon the religious liberty of Muhammadan subjects of Her Majesty was not justifiable, and declined to accede to it.

5. It will be observed that the changes in the regulation of the pilgrim traffic between India and Arabia which are necessitated by the Paris Convention made between the chief European powers have for their object the amelioration of the conditions under which Muhammadans perform their journey to and from the Hedjaz. At the same time it is fully recognized both by Her Majesty's Government and by the Government of India that some of these changes, especially that as regards space, will add very materially to the cost of the sea voyage. The Governor General in Council is therefore glad to be able to intimate that the British Government have undertaken to lose no opportunity of pressing upon the Turkish Government—and, if requested, they will lend skilled officers to assist His Majesty the Sultans's Government in fulfilling—the duty of remedying the condition of affairs at Camaran in the manner indicated by the Paris Convention, and of improving the sanitary administration at Jeddah and Mecca in the way proposed by the Sanitary Council of Constantinople and the able officers who have from time to time reported to the Porte on the requirements of the situation. The Governor General in Council also wishes to assure the Muhammadan community that he is most anxious, whilst taking measures to bring about improvements in the conditions of both the sea and the land journeys to Mecca to impose no additional expense of an unnecessary nature, and he is also not without hope that it may be found possible to induce the Turkish Government to lessen the time for which Indian pilgrims are placed in quarantine at Camaran, and thereby to reduce the sanitary taxes which will have to be recovered from pilgrims, and also to exempt really needy pilgrims from payment of these dues.

6. It is proposed that the provisions of the Bill and the new rules shall come into force on the 1st October 1895, so as to apply to the pilgrimage which will take place in the Spring of 1896. Local Governments and Administrations are requested to make the contents of this Resolution generally known as soon as possible.

ORDER.—Ordered, that a copy of this Resolution be published in the *Gazette of India*, and that copies be forwarded to the Governments of Madras, Bombay, Bengal, and the Chief Commissioner of Burma and to the Foreign, Finance and Commerce and Legislative Departments, for information.

[True Extract.]

J. P. HEWETT,

Offg. Secretary to the Government of India.